

Mail Stop Interference
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Entered: September 3, 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Switchcraft, Inc.,
Junior Party
(Application 10/863,322;
Inventor: Andrew Karl Eckhart),

v.

ADC Telecommunications, Inc.,
Senior Party
(Patent 6,992,257;
Inventors: Michael Follingstad, Peter Adams and Jeffrey Peters).

Patent Interference No. 105,717 (RES)
(Technology Center 2800)

DECLARATION – 37 C.F.R. § 41.203(b)

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-
3 identified parties. Details of the application(s), patent (if any), reissue
4 application (if any), count(s) and claims designated as corresponding or as
5 not corresponding to the count(s) appear in Parts E and F of this
6 DECLARATION.

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Administrative Patent Judge Richard E. Schafer has been designated to manage the interference. 37 C.F.R. § 41.104(a).

Part C. Standing order

A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION. The STANDING ORDER applies to this interference.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **4:00 p.m. on October 28, 2009** (the Board will initiate the call).

No later than **two business days** prior to the conference call, each party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions the party would like to file. 37 C.F.R. §§ 41.120 and 204; SO ¶¶ 104.2.1, 120 & 204.

The time periods for taking action during the motion phase are set in an order accompanying this declaration.

Part E. Identification and order of the parties

Junior Party

Named inventors: Andrew Karl Eckhart

Involved Application: 10/863,322

Title: Switch Actuated Normalling Jack For Patchbays

Assignee: Switchcraft, Inc.
5555 N. Elston Ave.
Chicago, Illinois 60630

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Senior Party

Named Inventors: Michael Follingstad
Peter Adams
Jeffrey Peters

Involved /Patent: 6,992,257

Title: Electronic Signal Transmission and
Switching Jack

Assignee: ADC Telecommunications, Inc.
4900 West 78th Street,
Minneapolis, Minnesota 55435

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. 37 C.F.R. § 41.154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

Part F. Count and claims of the parties

Count 1

To be determined

The claims of the parties are:

Switchcraft: 1-12, 14-21, 23-30, 32-39, 41-59, 61, 63-67,
69-111

ADC: 1-77

The claims of the parties which correspond to Count 1 are:

Switchcraft: To be decided

ADC: To be decided

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

1 Switchcraft: To be decided

2 ADC: To be decided

3 The parties are accorded the following benefit for Count 1:

4 Switchcraft: To be decided

5 ADC: None

6 **Part G. Heading to be used on papers**

7 The following heading must be used on all papers filed in this
8 interference, see SO & 106.1.1:

Paper No: Leave blank

Filed on behalf of: *Party @.*

By: *Counsel Name(s) @*

Address @

((@@@) @@@- @@@@ (telephone)

((@@@) @@@- @@@@ (facsimile)

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TITLE OF PAPER

1 **Part H. Order form for requesting file copies**

2 When requesting copies of files, use of SO Form 4 will greatly
3 expedite processing of the request. Please attach a copy of Parts E and F of
4 this DECLARATION with a hand-drawn circle around the patents and
5 applications for which a copy of a file wrapper is requested.

/Richard E. Schafer/
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Copy of U.S. Patent 6,992,257
Copy of claims of Application 10/863,322
Copy of Publication # 2004-0224547

Revised 3 January 2006

cc (via overnight delivery):

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